

COUNTY NOTICES PURSUANT TO A.R.S. §§ 49-112(A) or (B)

NOTICE OF PROPOSED RULE ADOPTED PURSUANT TO A.R.S. § 49-112 (A) OR (B)

Pima County

Department of Environmental Quality

1. **Heading and number of the proposed rule, ordinance, or other regulation:**
Revisions to: 17.12.220, Permits containing voluntarily accepted emission limitations and standards.
2. **Summary of the proposed rules, ordinance, or other regulations**
The revisions to 17.12.220 would provide operational flexibility to Class I sources and establish fees for new and existing sources requesting such flexibility by amending Title 17, Section 17.12.220.
3. **A demonstration of the grounds and evidence of compliance with A.R.S. §§ 49-112(A) or (B)**
Based on information and belief, the Pima County Department of Environmental Quality affirms the following:
 - A. Pima County is in compliance with A.R.S. § 49-112(A) in that Pima County Department of Environmental Quality is proposing to adopt rules that are not more stringent than, nor are they in addition to, any provisions of A.R.S. Title 49 or adopted by the Director of ADEQ or any Board or Commission authorized to adopt rules pursuant to A.R.S. Title 49 except for the provisions specified in B of this section.
 - B. Pima County is proposing to adopt rules that are in addition to the state pursuant to A.R.S. § 49-112(A), based on a finding that the rules are necessary to address a peculiar local condition and that the rules are required by law or are necessary and feasible to prevent a significant threat to public health or the environment that results from a unique local condition. Pima County proposes to adopt revisions to Pima County Code 17.12.220, pursuant to a written demonstration under A.R.S. § 49-112.

Pima County has developed a Technical Support Document to accompany the proposed amendments to Pima County Code Title 17. The Technical Support Document contains the written demonstration discussing the peculiar local conditions, significant threat to public health and the environment, and the feasibility of the regulations that support revisions to Pima County Code 17.12.220.

Specifically, Pima County has made a finding that:

Through public and private partnerships, Pima County has coordinated community resources that promote and develop economic growth in the county. Through organizations such as the Greater Tucson Economic Council (GTEC), strategic plans have been developed that target defense, aerospace, general manufacturing, and high technology industries as key industries for expansion and retention in Pima County.

As one of the communities' economic planning principals, organizations such as GTEC have identified the need to balance economic growth with protection and preservation of the environment and natural resources.

Through the efforts of private and public organizations to recruit and develop economic growth, more businesses within the key industrial growth sectors are anticipated to locate within Pima County in the future. Historically, businesses within these industrial sectors have been known to have the potential to degrade the environment and threaten public health through the raw materials, products, and wastes they handle.

The Environmental Protection Agency (EPA) has developed a Pollution Prevention in Permitting Project (P4) that promotes pollution prevention programs in permits issued pursuant to Title V of the Clean Air Act.

EPA believes that air quality permits incorporating pollution prevention programs result in permits that have operational flexibility and are environmentally beneficial.

EPA believes pollution prevention programs in permits create strong pollution prevention incentives and encourage sources to strive for operational improvements that reduce the amount of pollution.

EPA determined that pollution prevention programs in permits require considerable "up-front" efforts.

Pima County's proposed rule would allow a source to choose to incorporate pollution prevention programs in its permit.

Fees for permits that incorporate pollution prevention programs do not exceed the reasonable cost of service to issue the permit.

County Notices Pursuant to A.R.S. §§ 49-112(A) or 49-112(B)

4. Name and address of the person to whom persons may address questions and comments:

Name: Richard Grimaldi, Technical Services Manager
Address: Pima County Department of Environmental Quality
130 West Congress, Third Floor
Tucson, Arizona 85701-1317
Telephone: (520) 740-3340
Fax: (520) 882-7709

5. Where persons may obtain a full copy of the proposed rules, ordinance, or other regulations:

Name: Pima County Department of Environmental Quality
Address: 130 West Congress, Third Floor
Tucson, Arizona 85701-1317
Telephone: (520) 740-3340
Fax: (520) 882-7709

Note: Copies of the proposed ordinance are also available at all Tucson-Pima County Public Libraries.

The Pima County Department of Environmental Quality has scheduled public hearings to answer any questions regarding the proposed changes. All interested persons may submit written comments on the summary of proposed rules, the proposed rules, ordinance, or regulations, described above within 30 days of the publication of this notice in the *Register*.

**NOTICE OF PUBLIC HEARING
PURSUANT TO A.R.S. § 49-112**

**Pima County
Department of Environmental Quality**

1. Heading and/or number of the proposed rule, ordinance, or other regulation that is the subject of this public hearing:

Revisions to: 17.12.220, Permits containing voluntarily accepted emission limitations and standards.

2. Date, time, and location of each public hearing scheduled:

Board of Supervisors Hearing

Date: October 7, 1997
Time: 9 a.m. or thereafter
Location: Pima County Board of Supervisors Public Hearing Room
110 West Congress Street, First Floor
Tucson, Arizona 85701

3. County personnel to whom questions and comments may be addressed:

Name: Richard Grimaldi, Technical Services Manager
Address: Pima County Department of Environmental Quality
130 West Congress, Third Floor
Tucson, Arizona 85701-1317
Telephone: (520) 740-3340
Fax: (520) 882-7709

4. Any other pertinent information concerning the above named proposed rule, ordinance, or other regulation:

Pima County Department of Environmental Quality (PDEQ) is proposing amendments to the Pima County Code, Air Quality, Title 17, Section 17.12.220. The proposed ordinance amendments make revisions to Title 17. This notice is filed pursuant to A.R.S. §49-112.D.

Revisions to: 17.12.220, Permits containing voluntarily accepted emission limitations and standards. The revision would provide operational flexibility to Class I sources and establish fees for new and existing sources requesting such flexibility by amending Title 17, Section 17.12.220. This proposed revision is in addition to federal and state rules. The cost for this voluntary program will not exceed the cost of permit issuance.

The options available to the Pima County Board of Supervisors include:

- Adopting staff recommendation, as modified based on public comment, changing Title 17, Section 17.12.220 to allow flexibility to sources while still requiring compliance with all other air quality regulations;
- Reject changes to Title 17, Section 12.12.220, which does not affect current air quality regulations;
- Any combination of the above actions.

Pursuant to A.R.S. §49-112 (D)(4), the county shall publish the notice of public hearing at least 20 days before the hearing.

**NOTICE OF PUBLIC HEARING
PURSUANT TO A.R.S. § 49-112**

Pima County

Department of Environmental Quality

1. Heading and/or number of the proposed rule, ordinance, or other regulation that is the subject of this public hearing:

Revisions to: 17.04.070, Incorporated Materials.
Revisions to: 17.04.340, Words, phrases, and terms.
Revisions to: 17.12.150, Transition from installation and operating permit program to unitary permit program.
Revisions to: 17.12.160, Permit application processing procedures.
Revisions to: 17.12.230, Facility changes allowed without permit revisions.
Revisions to: 17.12.260, Significant permit revisions.
Revisions to: 17.12.365, Acid Rain.
Revisions to: 17.16.160, Standards of performance for fossil-fuel-fired steam generators and general fuel burning equipment.
Add New Section: 17.16.390, Standards of performance for existing municipal solid waste landfills.
Revisions to: 17.16.490, Standards of performance for new stationary sources (NSPS).
Revisions to: 17.16.530, National Emissions Standards for Hazardous Air Pollutants (NESHAP).
Revisions to: 17.16.700, Alternative Emission limitations.
Revisions to: 17.28.010, Violations and order of abatement.
Delete Section: 17.28.060, Reviews for startup, shutdown, or malfunctions.
Add New Section: 17.28.065, Excess Emissions.

2. Date, time, and location of each public hearing scheduled:

Board of Supervisors Hearing

Date: October 7, 1997

Time: 9:00 a.m. or thereafter

Location: Pima County Board of Supervisors Public Hearing Room
110 West Congress Street, First Floor
Tucson, Arizona 85701

IMPORTANT NOTE: Due to a publishing error, the Pima County Department of Environmental Quality was required to postpone the public hearing that was scheduled for June 17, 1997, regarding the proposed revisions to the county's air quality regulations, Title 17 of the Pima County Code. The public hearing will be held on Tuesday, October 7, 1997.

3. County personnel to whom questions and comments may be addressed:

Name: Richard Grimaldi, Technical Services Manager

Address: Pima County Department of Environmental Quality
130 West Congress, Third Floor
Tucson, AZ 85701-1317

Telephone: (520) 740-3340

Fax: (520) 882-7709

4. Any other pertinent information concerning the above named proposed rule, ordinance, or other regulation:

Pima County Department of Environmental Quality (PDEQ) is proposing amendments to the Pima County Code, Title 17, Air Quality. The proposed ordinance amendments make technical and conforming corrections to Title 17. This notice is filed pursuant to A.R.S. § 49-112(D).

The current staff recommendation to the Board of Supervisors, as drafted in proposed ordinance amendments, conforms provisions of county ordinance to corresponding federal and state rules.

The options available to the Pima County Board of Supervisors include:

- Adopting staff recommendation, as modified based on public comment, conforming Title 17 ordinance provisions to federal and state rules;
- Reject conforming all provisions to corresponding federal and state rules;
- Any combination of the above actions.

Pursuant to A.R.S. § 49-112(D)(4), the county shall publish the notice of public hearing at least 20 days before the hearing.